

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of B.L.R. and J.J.R., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

LISA BOSS,

Respondent-Appellant,

and

ROBERT REASTER and LEONARDO
RAMIREZ,

Respondents.

UNPUBLISHED

March 18, 2003

No. 241529

Lenawee Circuit Court

Family Division

LC No. 02-000019-NA

Before: Griffin, P.J., and Neff and Gage, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order establishing jurisdiction over her two minor children pursuant to MCL 712A.2(b)(1) and (2). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(A) and (E).

The trial court did not err in finding, by a preponderance of the evidence, that the children came within the statutory requirements. *In re Brock*, 442 Mich 101, 108-109; 499 NW2d 752 (1993). B.L.R., not quite 2 ½ years old, sustained multiple bruises on her entire body, including her pubic area and inner thighs. The examining physician testified that the bruises appeared non-accidental, had been inflicted over a period of time, and were in different stages of healing. Respondent-appellant and the children's father, Robert Reaster, shared joint physical custody, and the children had been in both of their homes. Neither could adequately explain B.L.R.'s injuries. Thus, the court did not err in assuming jurisdiction over the two minor children. Furthermore, the court did not assign fault for the injuries and did not improperly shift the

burden of proof to respondent-appellant; the petitioner established the allegations in the petition by a preponderance of the evidence.

Affirmed.

/s/ Richard Allen Griffin
/s/ Janet T. Neff
/s/ Hilda R. Gage